

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MATTHEW D. HARNEY,

Plaintiff,

No. C 09-05548 JSW

v.

**ORDER OF DISMISSAL**

RODNEY G. KARR, Commissioner of Social  
Security

Defendant.

On July 21, 2010, the Court issued Plaintiff an Order to Show Cause ("OSC") why this case should not be dismissed for Plaintiff's failure to prosecute or based on the grounds raised by the Defendants' motion to dismiss. In the Court's OSC, the Court advised Plaintiff that failure to respond to the OSC might result in the Court's dismissing the action for failure to prosecute.

Plaintiff's response to the Order to Show Cause was due by no later than August 11, 2010. Plaintiff has not responded to the Order to Show Cause. Accordingly, the Court shall dismiss this matter without prejudice for failure to prosecute. The Clerk is directed to close the file.

**IT IS SO ORDERED.**

Dated: August 23, 2010

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

MATTHEW D. HARNEY,  
Plaintiff,

Case Number: CV09-05548 JSW

**CERTIFICATE OF SERVICE**

v.


RODNEY G. KARR et al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 23, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Mathew D. Harney  
290 Divisadero Street  
San Francisco, CA 94117

Dated: August 23, 2010

  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk